UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE

HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY,

Plaintiff,

v. Civil No. 1:22-CV-00205-AJ

KELLY HAMPTON and KAREN MAZUR

Defendants.

ASSENTED-TO MOTION TO SUBSTITUTE PARTY

NOW COMES Kristina Landry and Jennifer Dunn, Co-Executors of the Estate of Karen Anne Landry-Masur, by and through their attorneys, Welts, White & Fontaine, P.C., in the above-referenced action and in support of their Motion to Substitute Party state as follows:

- 1. This is an interpleader action concerning the disposition of life insurance funds of the decedent Edward Mazur.
- 2. Interpleader Defendant Karen Mazur passed away in January 2023. A Suggestion of Death was filed with this Court on March 24, 2023.
- 3. A probate estate has been opened for Ms. Mazur (the "Estate") in the 9th Circuit-Probate Division-Nashua as Docket Number 316-2023-ET-00408.
- 4. Ms. Mazur's daughters Kristina Landry and Jennifer Dunn have recently been appointed co-executors of the Estate.
- 5. The Estate has retained undersigned counsel to continue representing Ms. Mazur's interest in this matter.

- 6. The Estate is the proper party to continue litigating this matter on behalf of Ms. Mazur. *See* RSA 556:15.
- 7. As such, Defendant seeks leave of the Court to substitute "Estate of Karen Anne Landry-Mazur" for "Karen Mazur" as a party in this matter.
- 8. Counsel for the co-Defendant Kelly Hampton has been contacted relative to the relief requested in this motion and has indicated his **assent** to this motion.

WHEREFORE, the Estate respectfully requests that this Court:

- A. Substitute the "Estate of Karen Anne Landry-Mazur" as a party in this case in place of "Karen Mazur"; and
 - B. Grant such other relief as is just and equitable.

Respectfully submitted, Estate of Karen Anne Landry-Masur By her attorneys WELTS, WHITE & FONTAINE, P.C.

Dated: <u>5/12/23</u> By: <u>/s/ Israel F. Piedra</u>

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2023, a copy of the foregoing was served electronically and notice of the service of this document will be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants registered to receive service in this matter.

<u>/s/ Israel F. Piedra</u> Israel F. Piedra